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REMARKS/ARGUMENTS

Claims 33-60 are pending in this application. By this Amendment, Applicants AMEND the Specification and claims 33, 37, and 39.

Applicants greatly appreciate the Examiner's indication that claims 36-39 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims.

Applicants' counsel greatly appreciates the courtesies extended by the Examiner in the personal interview of September 13, 2005.

Applicants' counsel and the Examiner discussed claim 33 as amended by the Amendment filed September 6, 2005 and how amended claim 33 recited features that were not taught or suggested by Gotoh et al. (U.S. Patent Application Publication 2002/0149017). During the personal interview, Applicants' counsel and the Examiner also discussed the possibility that the term "semiconductor compounds of the catalyst element" does not include the catalyst element that is not part of a compound.

Thus, Applicants amended claim 33 to recite the features of "the first and second gettering processes getter different semiconductor compounds of the catalyst element" and "at least one the first and second gettering processes getters the catalyst element that is not part of a semiconductor compound" in order to clarify that claim 33 includes gettering different semiconductor compounds of the catalyst element and gettering the catalyst element that is not part of a semiconductor compound.

Applicants have amended the Specification and claims 37 and 39 to correct a minor error. Applicants stated and recited in the Specification and claims 37 and 39, respectively, that the higher semiconductor compound has a composition of M_xSi_y ($x > y$) and that the lower semiconductor compound has a composition of M_xSi_y ($x \leq y$). However, the originally filed Specification teaches, for example, in paragraph no. [0132] on page 42:

... the higher semiconductor compound of the catalyst element to be reduced in the third step (first gettering step) is a silicide compound having a composition of $NiSi_2$, and the lower semiconductor compounds of the

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catalyst element to be reduced in the fourth step (second gettering step) are primarily Ni_2Si and NiSi silicide compounds.

That is, the originally filed Specification teaches that the higher semiconductor compounds of the catalyst element have more Si atoms per compound than Ni atoms per compound and that the lower semiconductor compounds of the catalyst element have the same or fewer Si atoms per compound than Ni atoms per compound. Thus, Applicants have amended the originally filed Specification and claims 37 and 39 to state and recite, respectively, "the higher semiconductor compound has a composition of M_xSi_y ($x > y$) ($x < y$)" and "the lower semiconductor compound has a composition of M_xSi_y ($x \leq y$) ($x \geq y$)."

The Examiner rejected claims 33-35, 40, 41, 43-47, 51-53, and 56-60 under 35 U.S.C. § 102(b) as being anticipated by Gotoh et al. The Examiner rejected claims 48 and 49 under 35 U.S.C. § 103(a) as being unpatentable over Gotoh et al. The Examiner rejected claim 42 under 35 U.S.C. § 103(a) as being unpatentable over Gotoh et al. in view of Yamazaki et al. (U.S. Patent No. 5,608,232). The Examiner rejected claims 50, 54, and 55 under 35 U.S.C. § 103(a) as being unpatentable over Gotoh et al. in view of Yamazaki et al. (U.S. Patent Application Publication No. 2002/0197785). Applicants respectfully traverse the rejections of claims 33-35 and 40-60.

As noted above, Applicants amended claim 33 to recite the feature of "the first and second gettering processes getter different semiconductor compounds of the catalyst element."

As explained in the Amendment filed September 6, 2005, Gotoh et al. teaches two method steps of gettering:

- (1) implanting P ions in certain regions **17 to getter Ni** in regions not implanted with P ions **14** (paragraph no. [0099]); and
- (2) forming an oxide film **18** on the regions not implanted with P ions **14** by heating, which **getters the remaining Ni** into the oxide film **18** (paragraph no. [0101]) (emphasis added).

That is, Gotoh et al. clearly teaches two method steps of gettering the single

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element Ni and fails to teach or suggest any method step or steps for gettering
different compounds of Ni.

However, Applicants' amended claim 33 requires two method steps that getter different semiconductor compounds of the catalyst element. Thus, Applicants respectfully submit that Gotoh et al. fails to teach or suggest the feature of "the first and second gettering processes getter different semiconductor compounds of the catalyst element" as recited in Applicants' claim 33.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 33 under 35 U.S.C. § 102(b) as being anticipated by Gotoh et al.

Furthermore, Applicants respectfully submit that the prior art of record, applied alone or in combination, fails to teach or suggest the unique combination and arrangement of elements and method steps recited in claim 33 of the present application. Claims 34-60 depend upon claim 33 and are therefore allowable for at least the reasons that claim 33 is allowable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

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